

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

KENNETH DWIGHT JACKSON	§	
V.	§	CIVIL ACTION NO. 6:07CV192
DIRECTOR, TDCJ-CID	§	

ORDER OF DISMISSAL

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Came on for consideration the above-referenced civil action, this Court having heretofore ordered that this matter be referred to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

**ORDERED** that the above-styled case is hereby **DISMISSED** with prejudice with regard to Petitioner's claims concerning the disciplinary case and the denial of parole. It is further

**ORDERED** that Petitioner's claim regarding the validity of his underlying conviction is hereby **DISMISSED** without prejudice, with the proviso that Petitioner may not refile it until such time as he has obtained permission from the Fifth Circuit Court of Appeals to file a successive petition. Finally, it is

**ORDERED** that a certificate of appealability be denied *sua sponte*. All motions by either party not previously ruled on are hereby **DENIED**.

So **ORDERED** and **SIGNED** this 15th day of February, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**